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7

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE WAVE STUDIO, LLC, a New York
Limited Liability Corporation,

Plaintiff,

v.

VISA INC., a Delaware corporation, and
DOES 1-100,

Defendants.

Case No. 3:15-cv-000239-JST

The Honorable Judge Jon S. Tigar

**DEFENDANT VISA INC.'S
RENOTICE OF MOTION TO
TRANSFER OR STAY THIS ACTION**

[28 U.S.C. § 1404(A)]

Date: July 16, 2015

Time: 2:00 p.m.

Location: Courtroom 9, 19th Floor,
United States District Court, 450 Golden
Gate Avenue, San Francisco, California

Date Action Filed:01/16/2015

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD

2 PLEASE TAKE NOTICE THAT on **July 16, 2015**, at **2:00 p.m.**, or as soon thereafter
3 as counsel may be heard, the undersigned counsel of record shall appear before the Honorable
4 Jon S. Tigar of the United States District Court for the Northern District of California,
5 located at Courtroom 9, 19th Floor, United States District Court, 450 Golden Gate Avenue, San
6 Francisco, California, and present Defendant Visa Inc.'s Motion to Transfer or to Stay This
7 Action (the "Motion"). The Motion was previously filed on May 18, 2015, and set for hearing
8 on June 25, 2015. Because the action has been re-assigned to Judge Tigar, the Motion is now
9 being re-noticed for hearing before Judge Tigar.

10 The Motion is identical to the previously filed motion and accompanying points and
11 authorities and supporting documents, including the Declaration of Brian Mumby, the
12 Declaration of Jonathan W. Fountain, the Declaration of Rebecca Contla, and such other
13 information in the Court's record as will be presented orally or in writing to the Court.

14 The interests of justice and convenience strongly favor transfer of this action to the United
15 States District Court for the Southern District of New York because a case involving intertwining
16 issues (the “New York Action”) is already being litigated there. Even if the Court does not
17 transfer this action, it should stay these proceedings pending resolution of the core contractual
18 issues between Plaintiff, The Wave Studio, LLC, and New York defendant General Hotel
19 Management Ltd. in that action.

Respectfully submitted,

21 | Dated: May 28, 2015

LEWIS ROCA ROTHGERBER LLP

By: /s/ Michael J. McCue

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CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2015, I caused a true and accurate copy of the foregoing document entitled, DEFENDANT VISA INC.'S RENOTICE OF MOTION TO TRANSFER OR STAY THIS ACTION to be filed with the Clerk of the Court using the Court's CM/ECF system, which will send electronic notice of the same to the following counsel of record:

Nate A. Garhart
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Amanda R. Conley
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Attorneys for Plaintiff
The Wave Studio, LLC

Dated: this 28th day of May, 2015.

/s/ Rebecca J. Contla
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